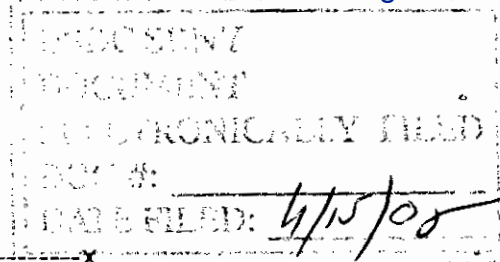


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



JUDITH H. WEISS

NOTICE OF MOTION
FOR SUMMARY JUDGMENT

Plaintiff(s)

- against -

Docket No. 07 CV 5712
(MHD)

FRANCES M. CREEM and BETTY M. OLSON,

Defendant(s)

S I R S:
MOTION BY:

JAMES G. BILELLO & ASSOCIATES
By: John W. Kondulis, Esq.
875 Merrick Avenue
Westbury, New York 11590
(516) 229-4312

DATE, TIME AND PLACE

On the April 11, 2008 at 9:30 o'clock in the forenoon of that day or as soon there after as counsel can be heard before the Honorable Michael H Dolinger USMJ at the Daniel Patrick Moynihan United States Courthouse located at , 500 Pearl Street, New York, NY, 10007.

SUPPORTING PAPERS:

Affirmation of John W. Kondulis, Esq. dated March 25, 2008, Affidavit of the the defendant Betty M. Olson sworn to the 26th day of February 2008, exhibits hereto attached and upon all the pleadings and proceedings heretofore had herein.

RELIEF DEMANDED:

For an order granting the defendant, Betty M. Olson, summary judgment pursuant to FRCP 56 dismissing the complaint and cross-claim on the basis that the defendant vehicle was stopped or stopping when it was struck in the rear.

ENDORSED
ORDER

Defendant Olson's motion for summary judgment is granted without opposition. Plaintiff's claims against her and the cross-claims of defendant Frances M. Creem are dismissed.
4/14/08 [Signature]

Dated: Westbury, New York
March 25, 2008

By: John W. Kondulis, Esq.
JAMES G. BILELLO & ASSOCIATES
Attorneys for Defendant
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Our File No.: 07K0763

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